



PATENT  
Attorney Docket No. MDS-012

L. Parks  
5-23-01  
#4/IDS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Nordstrom et al.  
SERIAL NO.: 09/591,706 GROUP NO.: 3737  
FILING DATE: June 9, 2000 EXAMINER: Not Yet Assigned  
TITLE: An Optical Probe Accessory Device for Use in In Vivo Diagnostic Procedures

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
MAY 15 2001  
TC 3700 MAIL ROOM

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

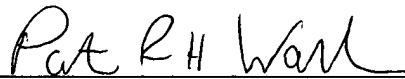
Applicants believe that no fee is due with this submission, but if a fee is due, the Director of U.S. Patent and Trademarks is authorized to charge deposit account no. 20-0531 for such fee.

Date: May 8, 2001  
Reg. No. 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

2084771

Respectfully submitted,

  
\_\_\_\_\_  
Patrick R. H. Waller  
Agent for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.: MDS-012</b>					
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Nordstrom et al.</b>					
				<b>SERIAL NO.: 09/591,706</b>					
				<b>FILING DATE: June 9, 2000</b>		<b>GROUP: 3737</b>			
<b>U.S. PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>		
	A1	4,741,326	5/3/88		128	4			
	A2	5,257,617	11/2/93		128	4			
	A3	5,337,734	8/16/94		128	4			
	A4	5,704,892	1/6/98		600	121			
<b>FOREIGN PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY CODE</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE</b>	<b>ABSTRACT ONLY</b>	<b>ENGLISH LANG (Y/N)</b>
	B1	0 135 134 A2	3/27/85	EP			8/13/94		Y
	B2	93/14688	8/5/93	WO			1/24/92		Y
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				



3137

PATENT  
Attorney Docket No. MDS-012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Nordstrom et al.  
SERIAL NO.: 09/591,706 GROUP NO.: 3737  
FILING DATE: June 9, 2000 EXAMINER: Not Yet Assigned  
TITLE: An Optical Probe Accessory Device for Use in In Vivo Diagnostic Procedures

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 8th day of May, 2001.

  
Rachel K. McLendon Kent

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg); Information Disclosure Statement (2 pgs); PTO Form 1449 (1 pg); copies of references A1-A4 and B1-B2; a return receipt postcard with this Certificate of First Class Mailing (1 pg).

2084784

RECEIVED  
MAY 15 2001  
TC 3700 MAIL ROOM



# TRANSMITTAL FORM

Application Serial Number	09/591,706
Filing Date	June 9, 2000
First Named Inventor	Nordstrom
Group Art Unit	3737
Examiner Name	Not Yet Assigned
Attorney Docket No.	MDS-012
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

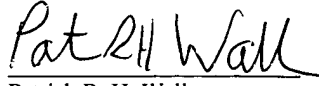
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosures (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Patrick R. H. Waller  
Agent for Applicant(s)  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Date: May 8, 2001  
Reg. No. 41,418  
Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100